

CHAPTER NO. 459

SENATE BILL NO. 928

By Southerland, Burchett, Williams, Crowe, Jackson, Fowler

Substituted for: House Bill No. 1840

By Tidwell

AN ACT to amend Tennessee Code Annotated, Section 55-9-302, relative to required equipment on motorcycles and motor driven cycles.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-9-302(a), is amended by deleting the subsection in its entirety and by substituting instead the following language:

(a) The driver of a motorcycle, motorized bicycle as defined in chapter 8 of this title, or motor-driven cycle and any passenger thereon shall be required to wear either a crash helmet meeting federal standards contained in 49 CFR § 571.218 or, if such driver or passenger is twenty-one (21) years of age or older, a helmet meeting the following requirements:

(1) Except as provided in subdivisions (2), (3) and (4), the helmet shall meet federal motor vehicle safety standards specified in 49 CFR § 571.218;

(2) Notwithstanding any provision in 49 CFR § 571.218 relative to helmet penetration standards, ventilation airways may penetrate through the entire shell of the helmet; provided that no ventilation airway shall exceed one and one-half inches (1 ½") in diameter;


(3) Notwithstanding any provision in 49 CFR § 571.218, the protective surface shall not be required to be a continuous contour; and

(4) Notwithstanding any provision in 49 CFR § 571.218 to the contrary, a label on the helmet shall be affixed signifying that such helmet complies with the requirements of the American Society for Testing Materials (ASTM), the Consumer Product Safety Commission (CSPM), or the Snell Foundation.

SECTION 2. This act shall take effect July 1, 2005, the public welfare requiring it.

PASSED: May 27, 2005


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 18th day of June 2005


PHIL BREDESEN, GOVERNOR